



eeplaw.com
80 Pine Street, 38th Floor
New York, New York 10005
T. 212.532.1116 F. 212.532.1176

New Jersey Office
576 Main Street, Suite C
Chatham, New Jersey 07928

November 1, 2021

BY ECF

Honorable Joanna Seybert
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Jackson v. Cty. of Nassau, et al.*, 18 CV 3007 (JS)

Your Honor:

I represent plaintiff in the above-referenced matter. I write to respectfully respond to the unexpected filing from defense counsel this afternoon at DE #345.

Defendants' letter motion, which seeks to compel discovery and an unspecified extension of plaintiff's all-day deposition of this past Friday, was made without conferring with plaintiff's counsel and in violation of Local Civil Rule 37.3(a) and (b).

If it should please the Court, plaintiff intends to vigorously oppose defendants' application. However, we are unable to appropriately address the matter until we have received and reviewed the transcript from Mr. Jackson's deposition.

Accordingly, plaintiff respectfully requests that: 1) DE #345 be denied for lack of conferral; 2) defense counsel be instructed to confer with plaintiff's counsel in compliance with Local Rule 37.3; and 3) any renewed application be submitted only after conferral and after Mr. Jackson's deposition transcript has been received by the parties.

In the alternative, plaintiff respectfully requests leave to file his opposition to defendants' application within three days after receiving the transcript.

Thank you for your consideration of this request.

Respectfully submitted,


Gabriel P. Harvis

cc: All Counsel